

L. W. "Nubbin" Cooper Jr.  
County Commissioner, Precinct 1



Amanda Young  
County Commissioner, Precinct 3

Chris Kirkendall  
County Commissioner, Precinct 2

Ernie Koch  
County Commissioner, Precinct 4

Wayne McDaniel  
County Judge

**COMMISSIONERS COURT OF HARDIN COUNTY, TEXAS**  
**HARDIN COUNTY COURTHOUSE ■ COMMISSIONERS COURTROOM (A-131)**

**NOTICE OF REGULAR MEETING AND AGENDA**  
**TUESDAY | FEBRUARY 13, 2024 | 10:00 A.M.**

Any attendee of this Open Meeting may be permitted to comment on an Agenda Item for a period of three (3) minutes by raising their hand and being recognized by the Presiding Member prior to the Court acting on any item. Anyone who addresses Commissioners Court must do so from the podium.

**AGENDA AND MINUTES**

**BE IT REMEMBERED THAT ON FEBRUARY 13, 2024, THERE WAS BEGUN AND HOLDEN A REGULAR MEETING OF THE COMMISSIONERS' COURT OF HARDIN COUNTY, TEXAS, WITH THE FOLLOWING MEMBERS OF THE COURT PRESENT:**

**HONORABLE WAYNE MCDANIEL**  
**HONORABLE L.W. COOPER, JR.**  
**HONORABLE CHRIS KIRKENDALL**  
**HONORABLE AMANDA YOUNG**  
**HONORABLE ERNIE KOCH**  
**HONORABLE CONNIE BECTON**

**HARDIN COUNTY JUDGE**  
**COMMISSIONER PCT. 1**  
**COMMISSIONER PCT. 2**  
**COMMISSIONER PCT. 3**  
**COMMISSIONER PCT. 4**  
**HARDIN COUNTY CLERK**

**WHEN THE FOLLOWING PROCEEDINGS WERE HAD AND ORDERS MADE TO-WIT; IN ADDITION TO THE ROUTINE BUSINESS OF THE COUNTY, THE SUBJECT OF SAID MEETING WILL BE THE FOLLOWING:**

- 1) Establish Quorum and Call Meeting to Order | *Hon. Wayne McDaniel*
- 2) Invocation and Pledge of Allegiance | *Hon. Amanda Young*
- 3) Consider and possibly approve **Minutes** of the January 23, 2024 Regular Meeting and January 30, 2024 Special Meeting as presented by *Hon. Connie Becton, County Clerk*.

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER KOCH**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED AS PRESENTED**

COMMISSIONERS COURT AGENDA AND MINUTES

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- 4) Consider approval of request to cancel all Registered Claims from January 23, 2024; and Approval of Cash Statement as presented by *Hon. Deborah McWilliams, County Treasurer.* (SEE ATTACHED)  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**
  
- 5) Authorization to pay County bills as presented by *Mrs. Angela Gore, County Auditor.* (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED AS PRESENTED**
  
- 6) Consider accepting and filing in the Minutes of the Court the Order Setting the Amount of Bond for Emergency Services Commissioners Serving as Treasurer, issued by the County Judge on January 29, 2024, pursuant to Sec. 775.037 (b) Health and Safety Code. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
  
- 7) Consider acceptance of the Audited Financial Statements for the year ending September 30, 2023, for Hardin County Emergency Services District № 4; and for the year ending December 31, 2023, for Hardin County Emergency Services District № 3. (SEE ATTACHED)  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
  
- 8) Discussion and possible action concerning the appointment of Mr. Olen Bean as Presiding Officer / Board President of Southeast Texas Groundwater Conservation District to fill vacancy of the late Mr. Roger Fussell (term will end December 31, 2025). (SEE ATTACHED)  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**

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- 9) **Acceptance** of the 2023 Racial Profiling Reports for filing in the Minutes of the Court as submitted by *Hon. Ben Hawthorne, Constable, Precinct 2, Hon. Trey Brothers, Constable, Precinct 3 and Hon. Danny Sullins, Constable, Precinct 5.* (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

- 10) Accept for filing in the Minutes of the Court: Copy of Texas Department of Criminal Justice Community Justice Assistance Division Financial Management Manual (TDCJ-CIAD FMM) FY23 Statement of Financial Position, in accordance with LGC 140.004; and the Texas Department of Criminal Justice Community Justice Assistance Division Initial Budget 2024/2025 Biennium as **requested** by *Chief Kevin Cummings, Adult Probation Department.* (SEE ATTACHED)

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

- 11) Consider and possibly approve **request** by *Hon. Matthew Minick, County Attorney,* to utilize funds from the waived County Attorney's Supplement in the amount of \$1,321.58 (remaining balance of \$4,497) to cover the cost of a new desk for a new employee in the County Attorney's Office. (SEE ATTACHED)

**MOTION BY: COMMISSIONER KOCH**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

- 12) Consider and possibly approve **request** by *Hon. Connie Becton, County Clerk,* to change a vacant full-time Deputy Clerk position making \$17.22 per hour to a part-time Deputy Clerk position at a rate not to exceed \$15.45 per hour. If approved, amend the FY24 Budget as follows: (SEE ATTACHED)

FROM	010-403-105 Salaries – Clerical	\$14,276.00
TO	010-403-108 Salaries – Part-Time	\$14,276.00

\*Create New Line Item

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER KOCH**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

- 13) Consider approval of **request** by *Mrs. Jennifer Walters, HCCVAC Director*, to register for the Sexual Assault Prevention and Crises Services (SAPCS) - State: Rural and Border County Service Enhancement (2 year) Grant Funding for 2024-2025 application with the Office of the Attorney General (OAG). **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 14) Consider **request** by *Mrs. Melinda Herrington, Human Resources Director*, to authorize the County Judge to sign Affordable Care Act Reporting and Tracking Service (ARTS) Program Agreement offered by Texas Association of Counties Health and Employees Benefits Pool (TAC HEBP). **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER KOCH**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 15) Consider and possibly **authorize** the County Judge to execute an Interlocal Cooperation Contract (ICC) for Failure to Appear (FTA) Program between Texas Department of Public Safety (DPS) and Hardin County. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER COOPER**  
**SECOND BY: COMMISSIONER YOUNG**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 16) Consider request by *Hon. Mark Davis, Sheriff*, to **authorize** Purchasing Agent to sell a 2002 Kioti LK2554 Tractor (VIN...0066) and related equipment utilizing Rene' Bates Auctioneers, Inc. (ReneBates.com). **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER KOCH**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**
- 17) Consider approval of **request** by *Mrs. Misty Sims, Purchasing Agent*, to authorize the County Judge to sign Business Service Agreement and Addendum with Cable One, Inc. d/b/a Sparklight Business for Internet Services at the Justice of the Peace, Precinct 4 office. **(SEE ATTACHED)**  
**MOTION BY: COMMISSIONER YOUNG**  
**SECOND BY: COMMISSIONER COOPER**  
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**  
**ACTION: APPROVED**

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- 18) Consider and possibly authorize Purchasing Agent to solicit proposals for lease of the following County owned (Buyout) properties: **(SEE ATTACHED)**

9605 Cooks Lake Road, Lumberton, Texas

7131 Duplissey, Silsbee, Texas

450 West Pineshadows, Sour Lake, Texas

2718 Hwy 326 South, Sour Lake, Texas

**MOTION BY: COMMISSIONER YOUNG**

**SECOND BY: COMMISSIONER KOCH**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

- 19) Consider approval of request by *Mrs. Misty Sims, Purchasing Agent*, to present results of bids received for Saratoga Road Improvements Project and Saratoga Drainage Projects; and possibly award to successful vendors or take other action as the Court deems necessary. **(SEE ATTACHED)**

**MOTION BY: JUDGE MCDANIEL**

**SECOND BY: COMMISSIONER COOPER**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: ACCEPT BOTH CONTRACTORS WHICH ARE RECOMMENDED BY LJA ENGINEERS, THOSE BEING ELITE CONTRACTORS FOR THE ROAD PROJECT AND LZ SERVICES FOR THE DRAINAGE PROJECT CONTINGENT ON LZ SERVICES PROVIDING THE 4 DOCUMENTS THAT ARE MISSING FROM THEIR BID PACKET BEFORE WE REVIEW THEIR CONTRACT AND IF NOT PROVIDED, THEN GO WITH EASTEX UTILITY CONSTRUCTION.**

- 20) Consider approval of request by *Ms. Sharon Whitley, Health Services Director*, to lease a 2024 Chevrolet Silverado Trail Boss Truck for the Hardin County Health Services Department in the amount of \$60,735.85, utilizing a cooperative purchasing program for a term not to exceed three (3) years. If approved, authorize first lease payment of \$20,243.95. These lease payments will be made utilizing grant funding. **(SEE ATTACHED)**

**MOTION BY: JUDGE MCDANIEL**

**SECOND BY: COMMISSIONER YOUNG**

**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER, COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: TABLED**

- 21) Presentation by *Jesse Fruman, Development Director, Tenaska Development Group*, regarding Pineywoods Carbon Capture and Storage (CCS) Hub including updates and timelines for project development. **(SEE ATTACHED)**

**PRESENTATION ONLY**

- 22) Discussion on any other non-agenda item without taking action, including reports from Elected Officials / Department Heads; or announcements which may be of interest to the public.

23)Adjourn.

**MOTION BY: COMMISSIONER COOPER**

**SECOND BY: COMMISSIONER YOUNG**

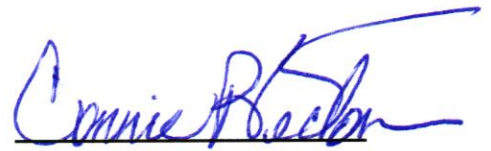
**IN FAVOR: JUDGE MCDANIEL, COMMISSIONER KIRKENDALL, COMMISSIONER COOPER,  
COMMISSIONER YOUNG AND COMMISSIONER KOCH.**

**ACTION: APPROVED**

RESPECTFULLY SUBMITTED,



Wayne McDaniel  
HARDIN COUNTY JUDGE



Connie Becton  
HARDIN COUNTY CLERK